

Liability, Laws, and Ethics For Florida Engineers

Purpose and Background

This course will cover the legal and ethical standards applicable to engineers and how the Board of Professional Engineers and the courts interpret those standards. You will learn what the engineer's liability is for preparing proper plans and specifications. You will learn how to head off problems by using the right contract language, including clean and fair terms. Advice will be given on actions to take during the design phase and the construction phase which will minimize problems that inevitably surface. These topics will be presented in an informal, interactive style using real life examples and cases. Participants will be given practical, hands-on advice and guidance on how to best conduct themselves and thus, avoid trouble.

This seminar fully satisfies the biennial continuing education requirement for Florida Professional Engineers of one (1) hour on Professional Ethics and one (1) hour on Florida Laws and Rules.

Seminar Instructor

Peter Liloia III, Esq., A.M.ASCE, holds a civil engineering degree from Princeton University and a law degree from Boston University School of Law. He is a licensed attorney (NJ, NY, FL, DC) with 30 years of experience in heavy, highway and building construction, in both the public and private sectors. He heads his own legal/consulting firm specializing in engineering and construction contract law, resolving disputes and liability issues, arbitration, mediation and the development and presentation of professional training seminars for ASCE and others.

Mr. Liloia is an arbitrator and mediator on the American Arbitration Association's National Construction Industry Panel where he has served on hundreds of construction, engineering and commercial cases. He is also a mediator for the New Jersey Superior Courts. He has resolved hundreds of disputes for clients in his private practice through negotiation, mediation and arbitration. For 25 years, Pete has taught seminars and provided training workshops on engineer liability, contracts, claims, ethics, construction law, and alternative dispute resolution.

- For group training, contact John Wyrick (JWyrick@asce.org) or Stephanie Tomlinson (STomlinson@asce.org)

Summary Outline

I. LAWS AND RULES APPLICABLE TO ENGINEERS

- A. Statutes
- B. Board Rules
- C. Recent Statutory and Rule Changes

II. LAWS AND RULES RELATED TO THE PRACTICE OF ENGINEERING

- A. Who Can Practice Engineering?
- B. Exemptions from Licensure
- C. Responsible Charge
- D. Engineer of Record
- E. Certification of Business Organizations
- F. Seals
- G. Competency
- H. Negligence
- I. Personal Liability
- J. Municipal, City and County Engineers
- K. Shop Drawings
- L. Maintaining Engineering Documents

III. ETHICAL CONSIDERATIONS AND OBLIGATIONS OF ENGINEERS

- A. Fundamental Principles
- B. Public safety
- C. Advertising
- D. Protection of Confidential Information and Assets
- E. Conflicts of Interest and Gifts
- F. Hypothetical Ethical Dilemma Exercise

IV. ENGINEER'S WARRANTY TO CONTRACTOR RE: ADEQUACY OF DESIGN

V. EFFECT OF INCOMPLETE, AMBIGUOUS OR INCORRECT DESIGN DOCUMENTS

- A. Impact on Project and to Contractor
- B. Consequences to Engineer
- C. Ways to Reduce Claims and Mitigate Impact

VI. DIFFERING SITE CONDITIONS AND HOW TO MINIMIZE THEIR IMPACT

- A. Definition
- B. Purpose
- C. Common Occurrences
- D. Effect of Site Investigation Clauses and Disclaimers
- E. Ways to Minimize Differing Site Condition Claims

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Seminar Benefits

- Understand the laws and rules applicable to the practice of engineering
- Learn how the courts and the engineering board interpret and apply these standards to engineers
- Explore ethical issues which engineers may face and learn how to properly deal with them
- Learn the liability of engineers to the owner and to the contractor for the preparation of proper plans and specifications
- Find out how to eliminate problems up front by using the right language in contracts and the right procedures during the design and construction phases of a project

Who Should Attend?

All Professional Engineers licensed in Florida will benefit from attending this seminar, which fully meets their biennial continuing education requirement for professional ethics and for laws and rules. This includes engineers who work for:

- Consulting Engineers
- Contractors and Subcontractors
- Private Owners and Developers
- Construction Managers
- Inspection Firms
- Government Agencies
- Public Owners
- Manufacturing Firms

ASCE seminars are available for On-Site Training. For details regarding On-Site Training and/or needs-based training opportunities, please contact:

John Wyrick, Director
On-Site Training Worldwide
ASCE Continuing Education
Tel.: 703-295-6184
Email: jwyrick@asce.org

